(3)

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P. No. 2265 /2003

Petitioner : PARMANAND ANANT,
S/o Shri Ajeet Ram, aged 35 years,
Occupation - Lecturer,
Govt. Higher Secondary School,
Tilakaja, Distt. Korba (C.G.)

VERSUS

Respondents :

1. State of Chhattisgarh,
Through : Secretary,
Tribal Development Deptt.
Ministry, D.K.S. Bhawan,
Raipur (C.G.)

2. Director,
Tribal Development Deptt.
Ministry, D.K.S. Bhawan,
Raipur (C.G.)

3. The Commissioner,
Tribal Development Department,
Raipur (C.G.)

P. R. No. 21.1.03
Presented by Shri Vinod Deshmukh
dated 28.01.03

पथ आयुक्त
एम.के. गुप्ता
तिल्दा (छ.ग.)

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28/1/03
CLERK TO A.G. BILASPUR

WRIT PETITION UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA.

THE PETITIONER

XI-HC-22

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2265/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26/08/2003: -

Shri Vinod Deshmukh counsel for the petitioner.

Shri Ranbir Singh, Govt. Advocate, for the State/respondents, on advance copy.

Heard both the counsel.

By this writ petition under Articles 226/227 of the Constitution of India the petitioner seeks to challenge the order dated 02/07/2003 (Annexcure-P/1) by which the respondent No.2 had transferred the petitioner from the Government Higher Secondary School, Tilakaja, Korba to Government Higher Secondary School, Chhindgarh, Dantewada.

Learned counsel appearing for the petitioner submitted that the petitioner has been transferred against the policy of the Government. Moreover, no person has been posted in place of the petitioner and on his transfer the post will remain vacant. The petitioner is the only the Chemistry teacher in the School and therefore the transfer of the petitioner will affect the career of the students. He further submitted that the petitioner had made a representation duly forwarded by the Principal of the School and the same has not been considered by the competent authority. Moreover, the mother of the petitioner is a heart patient and she is taking treatment at Korba. Therefore, the counsel

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

submits that the petitioner may be allowed to make a fresh representation to the respondent No.2

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a fresh representation raising all his grievances to respondent No.2 Director, Tribal Development Department Ministry, D.K.S. Bhawan, Raipur within a period of ten days from today. On receiving representation of the petitioner, respondent No.2 Director, Tribal Development Department Ministry, D.K.S. Bhawan, Raipur shall consider the grievances of the petitioner and decide his representation in an objective manner and shall pass appropriate order after considering the representation of the petitioner within a period of thirty days from the date of receipt of the representation. Till the representation of the petitioner is decided, the transfer of the petitioner shall remain in abeyance.

In view of the above observation, the petition is disposed of. M.(W.)P. No.2062 of 2003 and I.A. No.6956 of 2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये